

Sheryl A. Dale :
v. :
Richard C. Dale, II. :

ORDER

This case came before this Court in conference pursuant to Article I, Rule 12A(3)(b) of the Supreme Court Rules of Appellate Procedure. After reviewing the record and the parties' prebriefing statements, we proceed to decide the case at this time without further briefing or argument.

This case is before the Court on the appeal by the defendant, Richard C. Dale, II, from the Family Court's denial of his motion to adjudge the pro se plaintiff, Sheryl A. Dale (a/k/a Sheryl A. Jones), in contempt of, and to compel her compliance with, visitation orders relative to the parties' two children. The defendant contends that G.L. 1956 § 15-5-16(d) requires that the Family Court mandate compliance with ordered visitation by both the custodial parent and the parties' minor children, despite a strained relationship between the non-custodial parent and the teenaged children. However, the Family Court's order is interlocutory and therefore not appealable. Interlocutory orders are reviewable only by way of writ of certiorari. Gardiner v. Gardiner, 821 A.2d 229, 230 n.1 (R.I. 2003) (citing Pier House Inn, Inc. v. 421 Corp., 689 A.2d 1069, 1070 (R.I. 1997) (mem.)).

Accordingly, the defendant's appeal is not properly before us, and therefore the appeal is denied and dismissed.

Entered as an Order of this Court on this 31st day of January, 2012.

By Order,

_____/s/
Clerk



RHODE ISLAND SUPREME COURT CLERK'S OFFICE

Clerk's Office Order/Opinion Cover Sheet

TITLE OF CASE: Sheryl A. Dale v. Richard C. Dale, II.

CASE NO: No. 2010-79-Appeal.
(W07-0225)

COURT: Supreme Court

DATE ORDER FILED: January 31, 2012

JUSTICES: Suttell, C.J., Goldberg, Flaherty, Robinson, and Indeglia, JJ.

WRITTEN BY: N/A – Court Order

SOURCE OF APPEAL: Washington County Superior Court

JUDGE FROM LOWER COURT:

Associate Justice Raymond E. Shawcross

ATTORNEYS ON APPEAL:

For Plaintiff: Sheryl A. Dale, Pro Se

For Defendant: Christopher E. Heberg, Esq.